

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section _____

TO PERMIT A SIDEYARD SETBACK IN LIEU OF THE REQUIRED 10 FT. SETBACK.
OF THE ZONING REGULATIONS OF BALTIMORE COUNTY, TO THE ZONING LAW OF BALTIMORE COUNTY, FOR THE FOLLOWING REASON:
(Indicate hardship or practical difficulty) THE PROPERTY IS A CORNER LOT AND THE LOCATION IS THE ONLY PRACTICAL AREA TO LOCATE THE PROPOSED CARPORT DUE TO THE LAYOUT OF THE DWELLING. THE REMOVAL OF CARS FROM THE DRIVEWAY TO THE CARPORT WILL IMPROVE THE APPEARANCE OF THE PROPERTY.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.
 I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser:
 (Type or Print Name)
 Signature
 Address
 City/State/Zip Code
 Attorney for Petitioner:
 (Type or Print Name)
 Signature
 Address
 City/State/Zip Code
 Attorney's telephone number

ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be posted on the property on or before the _____ day of _____, 19____.

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,
 IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reported, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock, _____.

ZONING COMMISSIONER OF BALTIMORE COUNTY

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1120 STEVENSON LANE
TOWSON MD 21204
 (Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)
THE PROPERTY IS A CORNER LOT AND THE LOCATION IS THE ONLY PRACTICAL AREA TO LOCATE PROPOSED CARPORT DUE TO THE LAYOUT OF THE DWELLING. THE REMOVAL OF CARS FROM THE DRIVEWAY TO THE CARPORT WILL IMPROVE THE APPEARANCE OF THE PROPERTY.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Edmund A. Kendall
 AFFIANT (Handwritten Signature)
EDMUND A. KENDALL
 AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this _____ day of _____, 19____, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Edmund A. Kendall and Sandra S. Kendall

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Michael J. [Signature]
 NOTARY PUBLIC

My Commission Expires: 3/1/94

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
 W/S Stevenson Lane at cor. of Aigburth Rd., N/S Aigburth Rd.
 1120 Stevenson Lane
 9th Election District
 4th Councilmanic District
 Edmund A. Kendall, et ux
 Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 ft. (carport) in lieu of the required 10 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this _____ day of _____, 1991 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 ft. (carport) in lieu of the required 10 ft., in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not be allowed to install any enclosures to the carport.
3. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
 J. ROBERT HAINES
 Zoning Commissioner
 for Baltimore County

JRH/mm

ORDER RECEIVED FOR FILING
 Date 8/29/91
 By [Signature]

-2-

Zoning Description

Beginning at a point at the west side of Stevenson Lane, which is 30' wide at the distance of 62' wide, north of the center line of the nearest improved intersecting street, Aigburth Road, which is 50' wide being lot #3 block (a), section #2, in the subdivision of Donnybrook, being lot #3 block (a), section #2, in the subdivision of Donnybrook, as recorded in Baltimore County plat book, #TBS#16, folio #92, containing 7700 square feet, also known as 1120 Stevenson Lane, and located in the 9th election district.

Plat to accompany Petition for Zoning Variance ☒ Special Hearing

PROPERTY ADDRESS: 1120 STEVENSON LANE
 Subdivision map: Donnybrook
 plat book: #TBS#16, folio #92
 OWNER: EDMUND A. KENDALL & SANDRA KENDALL
Exhibit 1

North arrow pointing up.

Scale of Drawing: 1" = 40' (60' wide)

Diagram showing lot layout with dimensions: 125' (front), 105' (side), 125' (side), 105' (side), 125' (front), 105' (side). Stevenson Lane (30' wide) is at the bottom. York Road and Aigburth Road are at the top.

LOCATION INFORMATION
 Councilmanic District: 4
 Election District: 9
 Section: 2
 Block: 3
 Zoning: DR 33
 Lot size: 1.77 square feet
 Address: 1120 STEVENSON LANE

Checkboxes:
☒ Public Hearing
☒ Private Hearing
☒ Other: 31

Zoning Office Use Only
 Item #: 31
 Date: 8/29/91



Baltimore County Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

Account: R-001-6150
 Number

PAID PER HAND-WRITTEN RECEIPT DATED 7/19/91

7/19/91

	QTY	PRICE
PUBLIC HEARING FEES	1 X	\$35.00
010 - ZONING VARIANCE (IRL)	1 X	\$25.00
080 - POSTING SIGNS / ADVERTISING	1 X	\$60.00
TOTAL:		\$120.00

LAST NAME OF OWNER: KENDALL

Please Make Checks Payable To: Baltimore County

Baltimore County Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

Account: R-001-6150
 Number

ITEM # 31
 SEE COMPUTER RECEIPT
 DATED 7/19/91

Admin. APPEALANCE
 APPLICATION FEE \$35.00
 POSTING FEE \$25.00
 TOTAL \$60.00

EDMUND & SANDRA KENDALL

Please Make Checks Payable To: Baltimore County
 04404800551CHRC
 8/29/91 140407-19-91

Aug 1991 92-15-A ADM.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: August 15, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Edmund A. Kendall, Item No. 31

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat
ITEM31/ZAC1

#31

92-15-A

To Whom it may concern:

I am in agreement with the planned addition of a attached carport, to be constructed on the north side, extending 16 feet, to four feet of property LINE OF EXISTING GARAGE AT 1120 Stevenson Lane, requested by Sandra and Edmund Kendall.

Petitioner's
Exhibit 4

Name Mrs. M. A. Fitzpatrick

Address 424 Aighurst Rd 21204

Date 6/15/91

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

July 23, 1991

Edward and Sandra Kendall
1120 Stevenson Lane
Towson, Maryland 21204

Re: CASE NUMBER: 92-15-A
LOCATION: W/S Stevenson Lane at corner of Aighurst Road, N/S Aighurst Road
1120 Stevenson Lane

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before August 4, 1991. The closing date is August 15, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be posted and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

15/
S. S. Stephens
(301) 887-3391

92-15-A AUG 17

873-92

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
August 13, 1991

TO: ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: RICHARD F. SEIM, PLANS REVIEW CHIEF,
DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 31
PROPERTY OWNER: Edmund A. Kendall, et ux
LOCATION: W/S Stevenson Lane at corner of
Aighurst Road, N/W Aighurst Road (#1120 Stevenson La)
ELECTION DISTRICT: 9th
COUNCILMANIC DISTRICT: 4th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

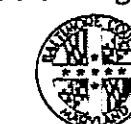
- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.02.02, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- () A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 517.0 COUNCIL BILL #192-90 (BALTIMORE COUNTY BUILDING CODE).
- () OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1990 NATIONAL BUILDING CODES AS ADOPTED BY COUNTY COUNCIL BILL #192-90 EFFECTIVE 1/13/91

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

August 23, 1991

Mr. and Mrs. Edmund A. Kendall
1120 Stevenson Lane
Towson, Maryland 21204

RE: Petition for Residential Zoning Variance
Case No. 92-15-A

Dear Mr. and Mrs. Kendall:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:mmm
encl.
cc: Peoples Counsel

#31

Variance

We are requesting a side yard variance to permit a set back of four feet in lieu of the required minimum 10 feet for a proposed attached carport, 22 feet long and 16 feet deep on the North side of the Property (1120 Stevenson Lane) at this time there exists a dilapidated Greenhouse on this site, which was in place when we moved here. We are desirous of building over the Greenhouse. Due to the lay out of the dwelling, it's location on the lot, and the fact that the property is a corner lot leaves this being the only location for the proposed structure.

This plan has been discussed with adjoining affected property owners to the side, and rear of the Property, they have no objections. (See Signed Statements) The denial of this variance will create the health, safety, or general welfare of the surrounding community, and will improve the appearance of the property by removing cars parked in the driveway.

Petitioner's
Exhibit 2

92-15-A

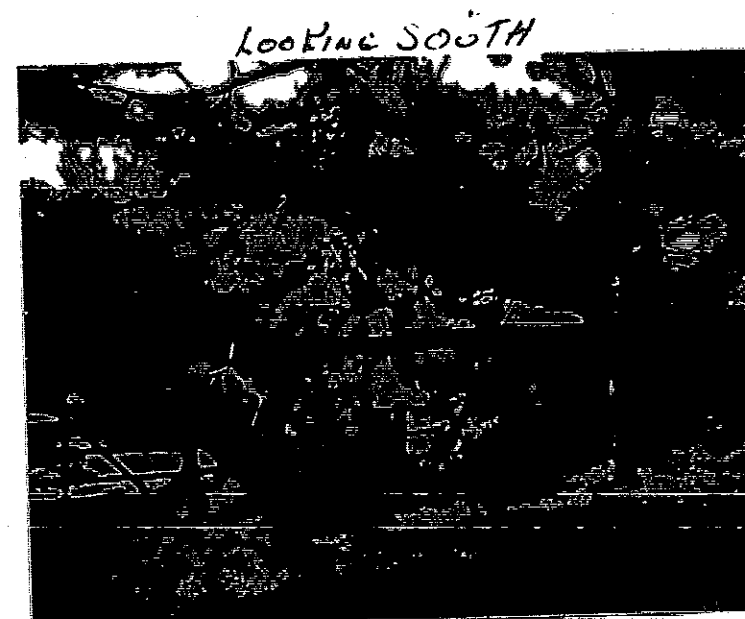
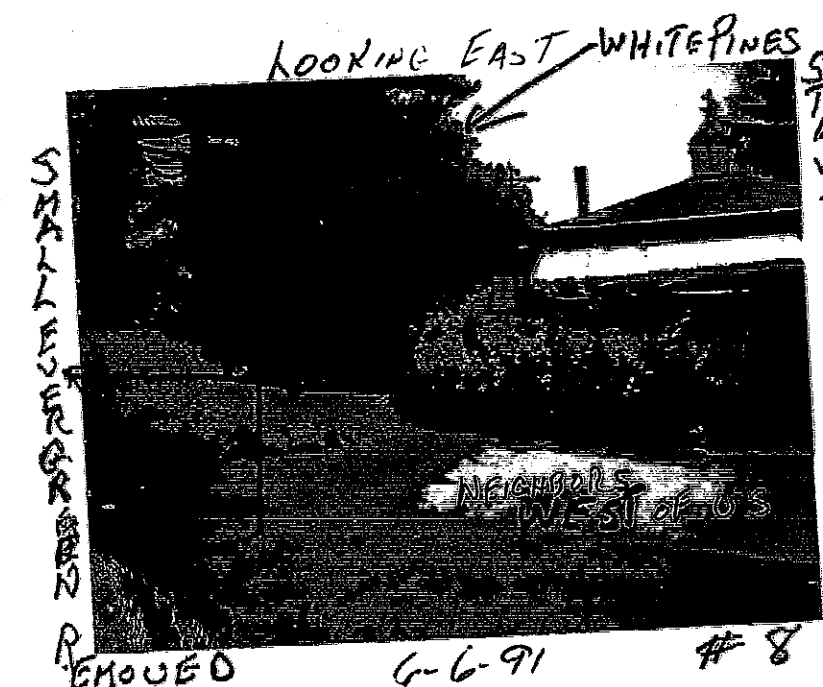
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 7/2/91
Posted for: Variance
Petitioner: Edmund A. Kendall, et ux
Location of property: W/S Stevenson Lane & N/S Aighurst Rd
1120 Stevenson Lane
Location of Sign: on the corner of Stevenson Lane & Aighurst Rd
opposite the property of Sandra and Edmund Kendall
Remarks: See signed statement of Petitioner
Posted by: M. Stephens Date of return: 8/15/91
Number of Signs: 1

CASE NUMBER

92-15-A

PETITIONER'S EXHIBIT # 5

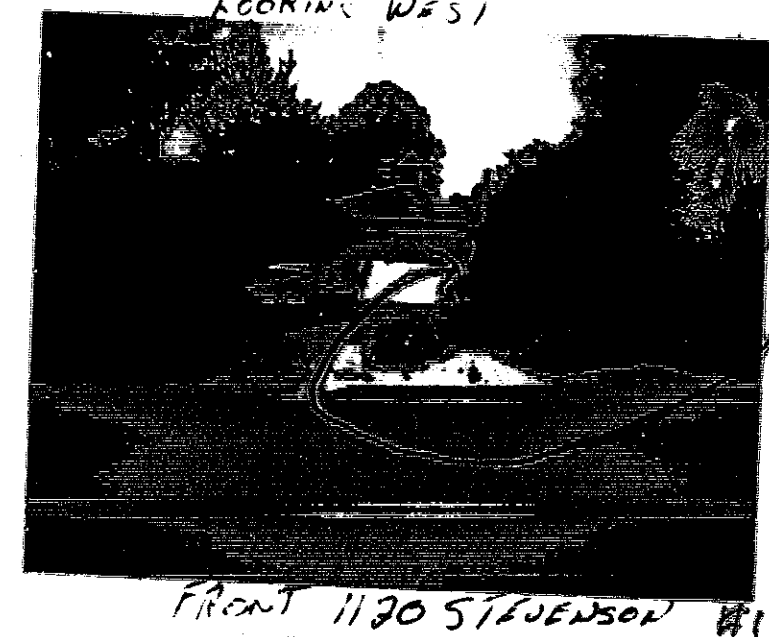
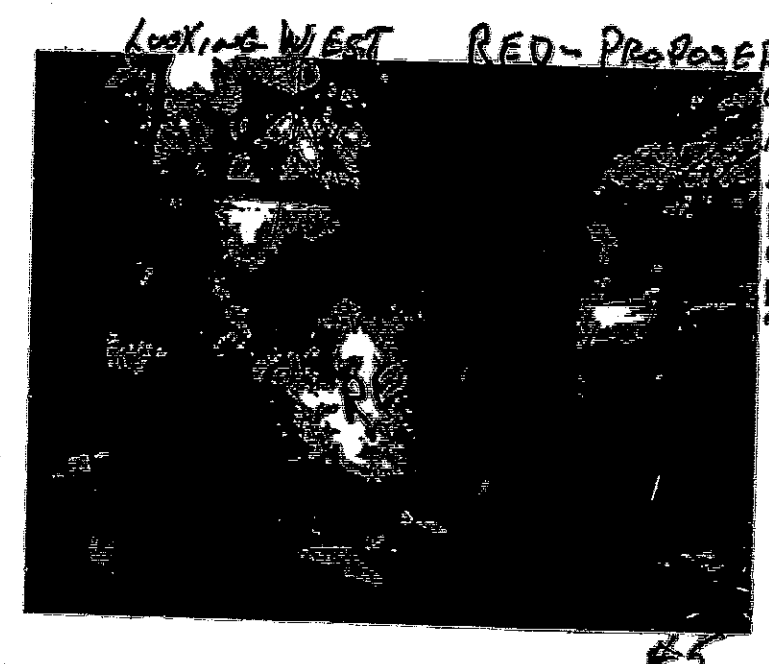


#6

CASE NUMBER

92-15-A

PETITIONER'S EXHIBIT # 6



#7

CASE NUMBER

92-15-A

PETITIONER'S EXHIBIT # 7



#4



#3